

Minutes of the August 23, 2021
Somerset County Agriculture Development Board
Virtual Meeting

Following the Pledge of Allegiance, the August 23, 2021 Somerset County Agriculture Development Board (CADB) Meeting began at 8:04 AM. This meeting was held virtually due to the Covid-19 pandemic.

Members in Attendance:

Mark W. Kirby, Chairman
W. Peter Staats, Vice Chairman
Sandra D. Rhue, Secretary/Treasurer
Richard Norz
Laura DePrado

Somerset County Staff:

Walter Lane, Director, Planning Div.
Anthony McCracken, Assistant Director, Planning Div.
Kate Katzer, Principal Planner, Planning Div.
Thomas Boccino, Open Space Coordinator, Planning Div.
Commissioner Paul Drake
Greg Pasquale, Deputy County Counsel
Patrice Brown, Administrative Assistant, Planning Div.

Public in Attendance:

Rachel DeFlumeri, SADC
Cindy Roberts, SADC
Beth Davisson, NJCF
David Eilbacher, Eilbacher Farm

Members Not in Attendance:

Christopher Carnevale
Robert Schultz

Approval of Minutes:

A motion to approve the **July 26, 2021 SCADB Meeting minutes** was made by Richard Norz and was seconded by Laura DePrado. Roll call was done, Peter Staats abstained and the motion was passed and carried.

Public Comment & Presentations:

1. David Eilbacher- Septic System Request (Hillsborough)
Mr. Eilbacher presented a breakdown of the project underway on the Eilbacher Farm to the Board. This breakdown was to show the necessity of a replacement septic system in order to complete the project already underway. This proposed septic solution would accommodate extra volume and the exception area was shown in a drawing to be compared to the existing outdated system. State and local law limitations regarding the system were discussed. Mr. Eilbacher is asking the Board for permission to develop a replacement septic system outside of the exception area. Mr. Eilbacher explained that the old system would be abandoned in lieu of the new system being put in

place. Midway through the presentation, Mr. Eilbacher lost connection and was therefore unable to complete the presentation. Kate Katzer stepped in to complete the presentation. She displayed on a map the area in discussion and answered questions regarding proximity, SADC allowances and system comparison. To be further discussed in closed session.

2. Beth Davisson – Smith (Peapack-Gladstone) – Beth Davisson presented an application for the property. Support of the application as well as agreement to approval of holding the easement in inventory at closing is sought. Ms. Davisson answered questions regarding exception area acreage, SADC permits and funding anticipation in concordance with Yellow Book value. Approval expectations were also addressed. To be further discussed in closed session.
3. Quick Farm – Barn Replacement (Montgomery) Kate Katzer, on behalf of the Quick Family, explained that Montgomery sent the barn replacement request to the County because part of the driveway is on the preserved portion of the farm. Montgomery is asking for the Board to review the documents, proposed barn, and driveway information to ensure that nothing occurring on the farm would be in difference to the preservation. Ms. Katzer shared the documentation with the Board, pointing out the exception area, desired barn replacement area, and the driveway. To be further discussed in closed session.
4. Travers Property- (Hillsborough) has excessive number of animals on the property. Complaints have been received by the municipality. There is concern of animal waste contamination in the water run off going into the stream on the property. The owner refuses to communicate with the Township. The Township is seeking guidance on how to properly handle the matter. To be further discussed in closed session.

Informational Items:

I5) Somerset County Preservation Plan Update

Kate Katzer reported that the Preservation Plan is set to go live today on the website for public comment. A copy of the link will be emailed to the Board and to the SADC as well for review.

There will be 4 different meeting dates for the public to attend virtually:

Wednesday, September 22, 2021 at 10:00 a.m.

Tuesday, September 28, 2021 at 2:00 p.m.

Tuesday, September 30, 2021 at 6:30 p.m.

Tuesday, October 5, 2021 at 6:30 p.m.

There were two ADA change requests, one for the Drenchko property and the other for the Mathews Property. The four part plan comprised of: the Preservation Plan, Ag Plan, Open Space Plan, and Historic Plan will all be available on the County website for review and comment. Comments can be made during the public meetings, online, or via hardcopy paper comment sheets. The Steering committee will be scheduled to have an additional meeting afterwards.

I-6) SADC Meeting-Update

Richard Norz reported that the SADC meeting was held on the 9th but he was not in attendance due to his recusing himself from the discussion on Hunter Farm. Kate Katzer added that she and Tony McCracken sat in on this meeting and there was an in depth discussion on the situation regarding Hunter Farms and its history: The SADC did approve additional shows for the year but did not approve the request to leave the tents up for 180 days. County Council, Greg Pasquale, noted that the non- approval was rendered because of the consideration of the tents being viewed as permanent verses temporary structures on the property. There SADC has not confirmed full compliance due to a delay in receipt of documentation regarding particular aspects of this farm. An updated SSAMP will be requested as the current one is out of date. The SADC still recognizes the fact that they have not cleared the full violations so the Right to Farm hearing cannot yet be held.

I-7) County /State Boards of Agriculture – Update

Richard Norz mentioned that there will be a monthly meeting held this Wednesday, August 25, 2021 at 1:00 p.m. the Sussex County Fairgrounds.

I-8) Staff Comments

Kate Katzer reported that the Influencing Ag event will be held at Duke Farms. The invites/information packets will be distributed today. Ms. Katzer mentioned the panelists who will be participation in this event:

Margaret Waldock

Lauren Salvatore of Duke Farms

Debbie Norz

Joanne Powell

Erica Puskas

Tony McCracken announced his retirement from Somerset County after 39 years. The Board offered well wishes and congratulations.

DISCUSSION AND ACTION ITEMS:

D-1) Dealaman Enterprises (Warren)

Kate Katzer reported that the Right to Farm Committee in conjunction with the Planning Division Staff and County Counsel has reviewed a complaint brought against the Dealaman Farm and found that the mulching operations are not consistent with Agricultural Operations protected under Right to Farm. The Right to Farm Committee will seek determination from the full Board. Correspondence will then be sent out to both the owner and the Township stating that it is not covered under Right to Farm. This topic will be further discussed in closed session.

D-2) Champey (Bedminster)

Kate Katzer said that the PIG Committee has reviewed the application and supporting documentation submitted by NJCF and the committee will be recommending to the board that they support the application be brought before the Commissioners. This topic will be further discussed in closed session.

D-3) Tucker

The PIG Committee has reviewed the application and supporting documentation and the committee will be recommending to the board that they support the application be brought before the Commissioners. This topic will be further discussed in closed session.

D-4) Weseley (Bedminster)

Kate Katzer said that the PIG Committee has reviewed the application and supporting documentation submitted by NJCF and the committee will recommend to the full board that they support the application be brought before the Commissioners. This topic will be discussed in closed session.

D-5) Smith (Peapack-Gladstone)

There has been no discussion with the PIG Committee at this time. This topic to be discussed in closed session.

D-6) Tansey (Bedminster)

Ms. Katzer reported that this application was brought to the PIG Committee and that the SADC would be meeting with the owner to discuss this application further. Rachel DeFlumeri of the SADC spoke briefly about the meeting with the owner, and their discussions about how to apply for preservation. She mentioned that at this time the owner is very early in the process and is looking into purchasing the neighboring parcel to add to his farm unit.

D-7) Eilbacher (Hillsborough)

This topic to be discussed in closed session.

D-8) Quick (Montgomery)

This topic to be discussed in closed session.

At 9:07 a.m. a motion to go into closed session was moved by Laura DePrado and Seconded by Peter Staats. A role call was made and the motion was passed and carried.

At 9:59 a.m. ended closed session.

D-9) Results and actions from Closed Session (ended at 9:59 a.m.)

Canibus Farming (Bedminster)- The Board has decided to return correspondence to the facility rejecting participation since the company not follow State guidelines. A motion was made by Rich Norz and seconded by Laura DePrado. A roll call was made and the motion was passed and carried unanimously.

Executive Committee - No discussion necessary.

Champey (Bedminster) – The Board made motion to present this to the Commissioners for consideration. It will not cost the Board and will be flipped to the Board in the end. Motion was so moved by Sandra Rhue and seconded by Laura DePrado. A roll call was done to which there was one Nay and the motion was moved and carried.

Tucker (Peapack-Gladstone)- The Board seeks approval to make a 20% payment (\$300,000). The NJCF seeks a 20% cost share of \$300,000.00 from the County. The Board made motion to present this to the Commissioners for approval and consideration. A motion was made by Peter Staats and seconded by Sandra Rhue. A roll call was done to which there was one abstention and one Nay. The motion was passed and carried.

Wesley (Bedminster)- The Board made motion to present this to the Commissioners for approval and consideration. There is a possible caveat; the original amount could possibly be covered with soon to be available Federal money. This approval will only be if the funds are still needed. A motion was made by Peter Staats and seconded by Sandra Rhue. There was a roll call made, there were two Nays and three Yays and the motion was passed and carried.

Smith (Peapack-Gladstone)-

The Board made motion to present this to the Commissioners for approval and consideration. This is a 43 acre piece that will not require any money and will be flipped in the end. A motion was made by Laura DePrado and seconded by Peter Staats. A roll call was made and the motion was passed and carried unanimously.

Tansey (Bedminster)-

There was no discussion necessary. (F.Y.I. only)

Delaman Enterprises (Warren) – The Board made motion for staff to send a rejection letter stating that the property was ineligible for right to farm and therefore does not qualify at this time. The motion was so moved by Laura DePrado and seconded by Richard Staats. A roll call was made and the motion was passed and carried unanimously.

Travers (Hillsborough) -The Board made motion to send a fact finding letter to the owner and to copy Hillsborough Township from Staff. The motion was moved by Laura DePrado and seconded by Rich Norz. A roll call was made and the motion was passed and carried unanimously.

Eilbacher(Hillsborough)- The Board made motion that staff recommended letter be approved by the board to the township regarding the septic system on the property. The motion was moved by Rich Norz and seconded by Laura DePrado. A roll call was made and the motion was passed and carried unanimously.

Quick Farm (Montgomery) – The Board made motion for staff to send out a recommended letter stating that the barn could be built within the exception area. The motion was so moved by Rich Norz and seconded by Laura DePrado. A roll call was made and the motion was passed and carried.

D-7) Adjournment

A motion to adjourn was made by Laura DePrado and seconded by Sandra Rhue. All voted Yes and the motion was passed and carried.

NEXT MEETING TO BE HELD ON SEPTEMBER 27, 2021 VIA ZOOM AT 8:00 A.M.

Respectfully Submitted by,

Sandra Rhue
Secretary/Treasurer